

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 20 2023

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ROBERT F. KENNEDY, Jr.,

Plaintiff-Appellant,

v.

GOOGLE, LLC, a Delaware corporation;
YOUTUBE, LLC, a Delaware corporation,

Defendants-Appellees.

No. 23-16141

D.C. No. 3:23-cv-03880-TLT
Northern District of California,
San Francisco

ORDER

Before: BADE, LEE, and VANDYKE, Circuit Judges.

A review of the record, the emergency motion for injunction pending appeal, the opposition to the motion, and the reply, demonstrates that this court lacks jurisdiction over this appeal. *See Religious Tech. Ctr., Church of Scientology Int'l, Inc. v. Scott*, 869 F.2d 1306, 1308 (9th Cir. 1989) (“Ordinarily, an appeal does not lie from the denial of an application for a temporary restraining order; such appeals are considered premature and are disallowed in the interests of avoiding uneconomical piecemeal appellate review.” (citation and internal quotation marks omitted)); *see also* 28 U.S.C. § 1292(a)(1). Accordingly, the appeal is dismissed.

The emergency motion for injunction pending appeal (Docket Entry No. 9) is denied as moot.

DISMISSED.